REMARKS

Claims 1-26 are pending in the application. Claims 1, 9, 17, 25 and 26 are rejected under 35 U.S.C. § 103(a) as being deemed unpatentable over U.S. Publication No. 2002/0166116 (Eidt) in view of U.S. Patent No. 5,537,588 (Engelmann et al.). Claims 2-3, 6-8, 10-11, 14-16, 18-19 and 22-24 are rejected under 35 U.S.C. § 103(a) as being deemed unpatentable over U.S. Publication No. 2002/0166116 (Eidt) in view of U.S. Patent No. 5,537,588 (Englemann et al.) as applied to Claims 1, 9,17, 25 and 26 above and, and further in view of U.S. Patent No. 5,485,613 (Engelstad et al.). Claims 4-5, 12-13 and 20-21 are rejected under 35 U.S.C. § 103(a) as being deemed unpatentable over U.S. Publication No. 2002/0166116 (Eidt) in view of U.S. Patent No. 5,537,588 (Engelmann et al.), and further in view of U.S. Patent No. 5,485,613 (Engelstad et al.), as applied to claims 1-3, 6-11, 14-19 and 22-26 above, and further in view of U.S. Patent No. 6,047,295 (Endicott et al.). Of the Claims 1, 9, 17, 25 and 26 are independent. The application, as argued herein, is believed to overcome the rejections.

None of the cited references teaches or suggests at least the Applicant's claimed "object allocation routine which stores an object of a particular type in one of a plurality of logical partitions in the heap dependent on a predefined category for the object type." (*See* Claims 1, 9, 17, 25 and 26.) The cited references merely discuss methods for searching the heap for collectable objects stored in the heap (*See* Eidt [0072]; Endicott, Fig. 3, field 74; Englestad, Abstract.) and collection of valid data in a file system stored on a mass storage device (*See* Engelmann, Abstract.) The Office Action provides no suggestion for combining Eidt and Englemann. One of ordinary skill in the art of garbage collectors for collecting unreferenced objects stored in a heap would not look to file systems stored on a mass storage device to provide a collector for a heap.

In contrast, the Applicant's claimed "object allocation routine" stores an object in one of a plurality of logical partitions in the heap "dependent on a predefined category for the object type". (*See* Fig 4, field 408 in the Applicant's application as originally filed.) By storing objects based on a predefined category (hot or cold) for the type of object, the efficiency of collecting non-referenced objects is increased because the collection routine only searches "one of the logical partitions" in the heap storing objects of a particular type and the collector "reclaims non-referenced objects stored in the searched logical partition".

Claims 2-8 are dependent on Claim 1, Claims 10-16 are dependent on Claim 9, Claims 18-24 are dependent on Claim 17, and thus include this limitation over the cited art.

Therefore, separately or in combination, Eidt, Engelstad, Engelmann and Endicott fail to teach or suggest the Applicant's claimed invention. Reconsideration of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

In view of the above remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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